

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROSA ALICEA,

Plaintiff,

v.

LUZERNE COUNTY HOUSING
AUTHORITY, et al.,

Defendants.

3:15-CV-1387
(JUDGE MARIANI)

FILED
SCRANTON

FEB 06 2017

PER 
DEPUTY CLERK

ORDER

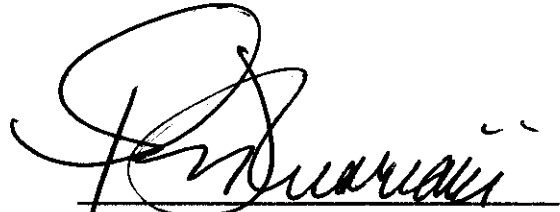
AND NOW, THIS 6th DAY OF FEBRUARY, 2017, upon review of Magistrate

Judge Mehalchick's Report & Recommendation, (Doc. 56), for clear error and manifest
injustice,¹ IT IS HEREBY ORDERED THAT:

1. The Report & Recommendation, (Doc. 56), is **ADOPTED**, for the reason stated therein.
2. Defendant City of Wilkes-Barre's Motion to Dismiss, (Doc. 37), is **GRANTED**.
3. Plaintiff's claims against the City of Wilkes-Barre are **DISMISSED WITH PREJUDICE** for failure to state a claim.
4. The Clerk of the Court is directed to **TERMINATE** Defendant City of Wilkes-Barre from this action.
5. Plaintiff's Discovery Motion, (Doc. 48), is **DENIED**.

¹ Although the docket contains an entry labeled as Objections to the Report and Recommendation, (Doc. 59), that entry appears to be a Plaintiff's response to Wilkes-Barre Housing Authority's Motion for Summary Judgment. Further, on January 27, 2017, Plaintiff filed a letter with the Court which stated that she had not filed any objections to the Report and Recommendation.

6. The case is **REMANDED** to Magistrate Judge Mehalchick for further proceedings consistent with this Order.

A handwritten signature in black ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge